

S/N 10/657,472

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |  |                 |              |
|-------------|--|-----------------|--------------|
| Applicant:  | EIDENSCHINK ET<br>AL.                                      | Examiner:       | A. GILBERT   |
| Serial No.: | 10/657,472   | Group Art Unit: | 3767         |
| Filed:      | SEPTEMBER 8, 2003  | Docket No.:     | 15305.17USII |
| Title:      | ROTATING BALLOON EXPANDABLE SHEATH BIFURCATION<br>DELIVERY |                 |              |

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**TERMINAL DISCLAIMER TO OBVIATE**  
**A DOUBLE PATENTING REJECTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Petitioner, Boston Scientific Scimed, Inc., a corporation organized and existing under the laws of the State of Minnesota and having its primary place of business at One SciMed Place, Maple Grove, MN 55311-1566, in the county of the United States of America, and the state of Minnesota represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/657,472, filed on September 8, 2003 and entitled ROTATING BALLOON EXPANDABLE SHEATH BIFURCATION DELIVERY, by virtue of our assignment recorded at Reel 014483, Frame(s) 0358.

Petitioner, Boston Scientific Scimed, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent Serial No. 10/747,546 and hereby agrees that any patent so granted on the above-identified application

shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Serial No. 10/747,546, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Serial No. 10/747,546, in the event that U.S. Patent Serial No. 10/747,546 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_

January 12, 2007



Joshua N. Randall  
Reg. No. 50,719  
JNR:ae